

1 GREGORY M. FOX, State Bar No. 070876  
2 BERTRAND, FOX & ELLIOT  
3 The Waterfront Building  
2749 Hyde Street  
4 San Francisco, CA 94109  
Telephone: 415.353.0999  
Facsimile: 415.353.0990

5 CAROL A. KORADE, State Bar No. 082133  
CITY ATTORNEY, CITY OF ALAMEDA  
6 City Hall  
2263 Santa Clara Avenue, Room 280  
7 Alameda, CA 94501  
Telephone: 510.748.4544  
8 Facsimile: 510.748.4691

9 Attorneys for Defendants  
CITY OF ALAMEDA, GREGORY McFANN  
10 and GREGORY FUZ

11 LAURENCE F. PADWAY, State Bar No. 89314  
Law Offices of Laurence F. Padway  
12 1516 Oak Street, Suite 109  
Alameda, CA 94501  
13 Telephone: 510.814.0680  
Facsimile: 510.814.0650

14 Attorney for Plaintiffs  
15 RITA MOHLEN and RICHARD SKRINDE

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18  
19 RITA MOHLEN and RICHARD SKRINDE, ) Case No. C 03 3162 CW  
20 Plaintiff, )  
21 vs. )  
22 )  
23 CITY OF ALAMEDA, GREGORY McFANN, )  
and GREGORY FUZ )  
24 )  
25 Defendants. )  
26 \_\_\_\_\_)

) **STIPULATION AND ORDER TO  
CONTINUE HEARING AND BRIEFING  
SCHEDULE RE; PARTIAL MOTION FOR  
SUMMARY ADJUDICATION**

27 At the Case Management Conference on December 9, 2005 the parties agreed and the court  
28 ordered plaintiffs to file their motion for partial summary judgment on the validity of the building

1 codes of the City of Alameda for hearing on May 12, 2006.

2 The parties have been working diligently to prepare and exchange the foundational records for  
3 that motion. However, the quantity of old codes and ordinances was substantially more than had  
4 been anticipated. The codes alone occupy three cabinets in City Hall. Each code volume, which is in  
5 book form and double sides, has to be copied by hand by staff working for plaintiffs' counsel. The  
6 total number of pages that will be copied is estimated at 15,000 or more pages. The parties are still in  
7 the process of assembling and copying these documents, and estimate that this process will not be  
8 completed until the end of April 2006. Following copying the parties will have to annotate and  
9 analyze the codes for purposes of preparing the briefs. And defense counsel will be out of the  
10 country from July 3 through July 24, 2006.

11 Therefore the parties stipulate and request an order amending the briefing schedule as follows:

12 Plaintiffs' opening brief on the issue of the validity of the City's code enforcement system to  
13 be filed and served on or before July 28, 2006. Defendants opposition brief to be filed and served on  
14 or before August 25, 2006. Plaintiffs' reply brief to be filed and served on or before September 8,  
15 2006.

16 The hearing on the motion and the next case management conference to be continued from  
17 May 12, 2006 to Friday, September 22, 2006 at 10:00 a.m.

18 So stipulated.

19  
20 Dated: March 24, 2006

/s/

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21 Laurence F. Padway  
22 Attorney for Plaintiffs RITZ MOHLEN  
and RICHARD SKRINDE

23 Dated: March 24, 2006

BERTRAND, FOX & ELLIOT

/s/

24  
25 By: \_\_\_\_\_  
26 Gregory M. Fox  
27 Attorney for Defendants  
CITY OF ALAMEDA, GREGORY McFANN  
And GREGORY FUZ

1       *I hereby attest that I have on file all holograph signatures for any signatures indicated by a*  
2       *"conformed" signature (/s/) within this E-filed document.*

3       *Dated: March 24, 2006*

4                     By: \_\_\_\_\_ /s/  
5                     Gregory M. Fox  
6                     Bertrand, Fox & Elliot

7                     **ORDER**

8       Good cause appearing the Stipulation is So Ordered.

9       Dated: March 27, 2006

10                  /s/ CLAUDIA WILKEN

11                  \_\_\_\_\_  
12                  Honorable Claudia Wilken  
13                  United States District Court Judge